

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

3:73-CV-00125-MMD-WGC

Plaintiff,

In Equity No. C-125

WALKER RIVER PAIUTE TRIBE,

**ORDER APPROVING BUDGET AND
RATE OF ASSESSMENT FOR THE
YEAR JULY 1, 2021 THROUGH JUNE
30, 2022, AND THE AUDIT REPORT
FOR THE YEAR ENDED JUNE 30, 2020**

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

Defendants.

The Petition of the United States Board of Water Commissioners and the Chief Deputy Water Commissioner (collectively “Board”) for Approval of Budget and Approval of Rate of Assessment for the Year July 1, 2021 Through June 30, 2022, and for Approval of the Audit Report for the Year Ended June 30, 2020 (“Petition”) (Doc. 1664) was filed on April 20, 2021.

An Order Requiring Notice of the Petition was entered April 21, 2021 (Doc. 1670). A hearing was set for Thursday, May 27, 2021 (Doc. 1670). The Court ordered that if no objections were filed by May 14, 2021, the Court would consider vacating the Hearing (Doc. 1671).

The Walker River Paiute Tribe (“Tribe”) and the United States of America (“United States”) filed Joint Comments on May 13, 2021 (Doc. 1677). The Walker River Irrigation District

1 ("WRID") filed a Response to the Joint Comments on May 14, 2021 (Doc. 1678). The Joint
2 Comments of the Tribe and the United States state their comments are similar to their comments
3 filed annually with the Court in prior years, and that therefore a hearing may not be required.
4 Subject to the statements made in their comments, the Tribe and United States do not object to the
5 Court approving the Petition. The Tribe and United States do not object to the April 1, 2021 start
6 date for the Tribe's irrigation season approved by the Board in the 2021 Plan of Distribution. The
7 Joint Comments pertain to concerns that the delivery of water to the Tribe account for conveyance
8 losses and accuracy of measurement. For this year, the Tribe and the United States do not object to
9 the United States Board of Water Commissioners administering the Decree and the delivery of water
10 in the same manner as in prior similar irrigation seasons. WRID responded to the Tribe's and United
11 States' Joint Comments and acknowledged that the Tribe and the United States have not waived the
12 rights they may have to seek in the future a different place of measurement and/or the addition of
13 water to offset conveyances losses, if any.

14 There were no other comments or objections filed to the budget, rate of assessment or
15 the audit report.

16 The Court having considered the Petition, the Tribe's and United States' Joint
17 Comments, WRID's Response, the proofs of notice, and being fully advised in the premises makes
18 the following findings:

19 1. The Court finds that notice of this hearing has been given by publication and
20 posting of the Notice of Filing of Report and Petition for Approval of Budget and Approval of Rate
21 of Assessment for the Year July 1, 2021 Through June 30, 2022, and for Approval of the Audit
22 Report for the Year Ended June 30, 2020 in accordance with its Order of April 21, 2021 (Doc.
23 1670), and that additional notice has been given by electronic service and by mailing a copy of the
24 Petition, the (Proposed) Order Requiring Notice and (Proposed) Notice of Filing Report on April 20,
25 2021, as set forth in the Affidavit of Service filed on April 20, 2021 (Doc. 1667).

26 2. The Court finds that the Budget and Rate of Assessment for the year July 1,
27 2021 to June 30, 2022 should be approved.

1 3. The Court finds the Audit Report of the accounting records of the United
2 States Board of Water Commissioners for the year ended June 30, 2020, prepared by Arrighi, Blake
3 & Associates, LLC, Certified Public Accountants, should be approved.

4 NOW, THEREFORE, it is hereby ordered that:

5 1. The Budget and Rate of Assessment of \$3.30 per acre for the year July 1,
6 2021 to June 30, 2022 submitted by the Chief Deputy Water Commissioner and approved by the
7 United States Board of Water Commissioners on March 19, 2021 is hereby approved; and

8 2. The Audit Report of the accounting records of the United States Board of
9 Water Commissioners for the year ended June 30, 2020, prepared by Arrighi, Blake & Associates,
10 LLC, Certified Public Accountants, is hereby approved.

11 DATED this 20th day of May, 2021.



12

13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

4832-8077-7194, v. 1